

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**VS.**

## JAVIER GUZMAN,

**Defendant.**

**CASE NO. 8:14CR195**

# MEMORANDUM AND ORDER

This matter is before the Court on the Report and Recommendation (Filing No. 24) issued by Magistrate Judge Thomas D. Thalken recommending denial of the Defendant's motion to suppress (Filing No. 17). No objections have been filed to the Report and Recommendation as allowed by 28 U.S.C. § 636(b)(1)(C) and NECrimR 59.2(a).

The motion to suppress was filed on July 3, 2014, and a hearing on that motion was held on July 15, 2014 (Filing No. 22). Upon review of the docket, the Court notes an entry was made on July 28, 2014, at Filing No. 28, stating that the Defendant requested a Change of Plea Hearing and wishes to go immediately to sentencing in an expedited manner.

Because the defendant has not withdrawn the motion to suppress, the Court has conducted a de novo review of the record and adopts the Report and Recommendation in its entirety. Therefore,

IT IS ORDERED:

1. The Magistrate Judge's Report and Recommendation (Filing No. 24) is adopted in its entirety; and
2. The Defendant's motion to suppress (Filing No. 17) is denied without prejudice.

DATED this 5<sup>th</sup> day of August, 2014.

BY THE COURT:

s/Laurie Smith Camp  
Chief United States District Judge